

Interstate Commission for Juveniles (ICJ)
South Dakota State Council Meeting
January 5, 2016 – 3:15 pm – 4:30 pm (CST)

PRESENT: Nancy Allard, South Dakota Interstate Commission for Juveniles Commissioner; Kathy Christenson, ICJ Deputy Compact Administrator for South Dakota; Doug Hermann, SD Department of Corrections; Hon. Randall Macy, Circuit Court Judge, Fourth Circuit; Hon. Alan Solano, State Senator; Denny Kaemingk, Secretary of SD Department of Corrections; Virgena Wieseler, SD Department of Social Services - Interstate Compact for Placement of Children (ICPC); Lyndon Overweg, Chief of Police for the City of Mitchell.

ABSENT: Jamie Gravett, Director of Minnehaha County Juvenile Detention Center; Amy Carter, Victim Representative for Children's Inn, Sioux Falls.

OTHERS IN ATTENDANCE: Cheryl Frost, Interstate Compact Coordinator (Recorder).

1. Call Meeting to Order

Chairman Doug Hermann called the meeting to order at 3:15 p.m.

2. July 2015 Meeting Minutes

Judge Macy made a motion to approve the minutes of the July 2015 meeting as submitted. Virgena Wieseler seconded the motion. Motion was carried.

3. August 2015 ICJ Annual Business Meeting Approved Amendments (changes effective 02/01/2016)

Nancy Allard advised that all rules discussed and reviewed at the last ICJ State Council Meeting as proposed were approved at the National Business Meeting which was held in August of 2015. There were a total of 50 rules, of which 48 were rule amendment proposals and two brand new rules.

4. Commissioner Appointment Enforcement Advisory Opinion (01-2015)

This policy ensures member states and territories appoint a Commissioner within a specified time period when a vacancy occurs.

5. Signatures on the IA/VI Form Advisory Opinion (02-2015)

Minnesota has requested a formal advisory opinion regarding the signatures required on the Form IA/VI for Services and Waiver. They advised they frequently receive transfer requests where the Form IA/VI is not signed by the Judge, or in the case of parole, the compact official. In these cases, states refuse to provide the signed document until the transfer is approved.

The advisory opinion is based on the literal language of ICJ Rule 4-102, the sending state is required to obtain the signature of the Judge or compact official in order to comply with this rule. The receiving state has no authority to accept or supervise a case until permission is given by the court of jurisdiction or compact official through the signing of the Form IA/VI.

6. Discuss Next Meeting

Nancy advised the next State Council Meeting should be held prior to the Annual ICJ Business Meeting since the 2016 ICJ National Business Meeting is in August in Boston, the meeting should occur prior.

Chairman Herrmann suggested the meeting be held on July 13, 2016, which all council members agreed. The meeting will commence at 2:00 (CST), 1:00 (MST).

7. Adjourn

Chairman Herrmann adjourned the meeting at 2:45 pm (CST).

Respectfully submitted by Cheryl F. Frost, Interstate Compact Coordinator.